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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/806,713 | 03/23/2004 | Yuko Nishikawa | 81231 7114 | 2662 |
| 37123 7590 10/03/2008 FITCH EVEN TABIN & FLANNERY 120 SOUTH LASALLE SUITE 1600 CHICAGO, IL 60603 | | | | |
| EXAMINER | | | | |
| TAYLOR, JOSHUA D | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2623 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 10/03/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 8/29/2006 have been fully considered but they are not persuasive. Starting on page 7, applicant argues that the plurality of horizontal cylinders disclosed in Fig. 3, where each cylinder represents a different time, is clearly different than the teachings of Nakamura in view of Florin. Examiner respectfully disagrees. If one were to turn the plurality of vertical cylinders of Nakamura's Fig. 15 (not Fig. 17, as stated by applicant) on their side, as would have been an obvious matter of design choice to one of ordinary skill in the art at the time of the invention, one would have a plurality of horizontal cylinders, and there would be a plurality of different times represented. From this standpoint, the only different between Nakamura and applicant is that each cylinder does not represent a different time period. However, by looking at Nakamura, Fig. 2, one can see that the channel columns are broken up into time segments. If, referring to Nakamura, Fig. 2, one were to follow the broken line that runs under A2, B1, C1, '6', D2, E1 and F1, it can be seen that this line, which can be seen in the same manner on the cylinder of Fig. 3, represents a cylinder denoting a time period. Combining this view of Nakamura with the teaching of Florin, who further teaches the benefit of allowing a program guide to be divided using a time period, it would be obvious to one of ordinary skill in the art at the time of the invention, and it would yield predictable results, to modify Nakamura by taking these pre-existing time-based cylinders and separating them slightly so that the different time periods were more obvious to the viewer.

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/Vivek Srivastava/

Supervisory Patent Examiner, Art Unit 2623